THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9551 OF 2006

15th JUNE, 2006

BETWEEN

Smt A.Sumathi

… Petitioner

vs.

The Mandal Revenue Officer, Tirupathi Urban Mandal,

Chittoor District and others.

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.9551 OF 2006

ORDER:

The petitioner is resident of Chennayagunta village, Tirupathi Urban Mandal in Chittoor District. She filed the instant writ petition seeking a writ of Mandamus

declaring the action of the first respondent, namely, Mandal Revenue Officer (MRO), Tirupathi Urban Mandal in trying to assign the land admeasuring 463 square yards in survey No.129/1 of the said village to respondents 5 to 10 as illegal and arbitrary.

The matter was listed on 08.06.2006 for preliminary hearing. The learned Assistant Government Pleader for Revenue (General) obtained instructions and submitted that the writ petition is filed on a mere apprehension and that there is no proposal to acquire the land in survey No.129/1, which is classified as 'Chennaiahgunta Village Site' Poramboke. Therefore, this Court recorded the following proceedings and adjourned the matter.

> Learned Assistant Government Pleader for Revenue (General), on instructions from Mandal Revenue Officer, Tirupathi (Urban) Mandal, submits that there are no proposals to assign the land in survey No.129/1 admeasuring 463 square yards. He also submits that the land is classified as 'Chennaiahgunta Village Site' Poramboke and that the writ petition is filed on mere apprehension. The case is therefore filed on a foundation, which is not factually sound. However, the learned counsel for the petitioner seeks a short adjournment to verify from his clients.
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> Post 'for dismissal' on 15.06.2006.

The learned counsel for the petitioner places reliance on a news item in support of the contention that there was in fact such proposal to assign the land allegedly belonging to the petitioner. However, this Court is not inclined to place any reliance on the news item especially when, on instructions, the learned Assistant Government Pleader made a statement that there is no proposal at present to assign the land to the contesting respondents. Therefore, the writ petition is filed on mere apprehension.

The writ petition is accordingly dismissed. No costs.

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(V.V.S.RAO,J)

15.06.2006

pln